IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5807 of 2007()

CRMP.11341/2007 of J.M.F.C.-I(FOREST OFFENCES),TPA
CRIME NO.668/07 OF THODUPUZHA POLICE STATION

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PETITIONERS/1ST & 2ND ACCUSED

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1. SHIHAB K.U., AGED 27 YEARS, S/O.UNUS, KUMPAMKALLIL, ELAMDESOM P.O., VELLIYAMATTOM, THODUPUZHA.

2. SIRAJ, AGED 24 YEARS, S/O.IBRAHIM, THOTTIPARAMBIL HOUSE, ELAMDESOM P.O VELLIYAMATTOM, THODUPUZHA.

BY ADV. SRI.PEEYUS A.KOTTAM

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE SUB INSPECTOR OF POLICE, THODUPUZHA POLICE STATION, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.5807 of 2007

Dated this the 26th day of September 2007

O R D E R

Application for regular bail. The petitioner faces allegations inter alia under Sections 353 and 307 I.P.C and Section 3 of the PDPP Act. The petitioner had earlier come before this court seeking anticipatory bail and by order dated 11/9/2007 in B.A.No.5439/2007 the said application for anticipatory bail was dismissed with observations. This order must be read in continuation of the said order. I am not hence adverting to facts in detail. In obedience to the observations in the order passed in the application for anticipatory bail, the petitioners surrendered before the learned Magistrate and sought regular bail on 17/9/2007. The learned Magistrate rejected the application. Consequently, the petitioners are continuing in custody from 18/9/2007.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioners

who have remained in custody from 18/9/2007 subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007